

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA

V.

ELMER ZELAYA MARTINEZ,

Defendant.

Case No. 1:18cr123-RDA-2

**NOTICE OF WITHDRAWAL OF
THE NOTICE OF INTENT TO SEEK A SENTENCE OF DEATH**

On October 28, 2021, the Attorney General of the United States authorized and directed the United States Attorney for the Eastern District of Virginia to withdraw the Notice of Intent to Seek a Sentence of Death (the “Death Notice”) filed on January 6, 2020. *See* Docket Entry 425. Counsel for the defendant, Elmer Zelaya Martinez, have been advised of the Attorney General’s directive. Because it no longer intends to seek the death penalty against the defendant, the government hereby provides notice that it withdraws the Death Notice.

Respectfully submitted,

Jessica D. Aber
United States Attorney

By: /s/
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CERTIFICATE OF SERVICE

I hereby certify that on October 28, 2021, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing to all counsel of record.

/s/
Alexander E. Blanchard
Assistant United States Attorney